IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 1ST NOVEMBER 2006 / 10TH KARTHIKA 1928

Bail Appl..No. 6466 of 2006

CMP.6133/2006 of J.M.F.C.-II, VARKALA
CRIME NO.512/2006 OF VARKALA POLICE STATION

.....

PETITIONER/ACCUSED

JANI ALI,
S/O.AMEER ALI, SALMA MANZIL, MELVETTOOR,
VARKALA P.O., THIRUVANANTHAPURAM DIST.

BY ADV. SRI.VAKKOM N.VIJAYAN
SMT.VINITHA PRASANNAN
SRI.P.ANIYAN
SMT.REENA.C.STEPHENSON
SRI.A.S.SACHIN

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE ASST. SUB INSPECTOR OF POLICE,
VARKALA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6466/2006

DATED THIS THE 1ST DAY OF NOVEMBER, 2006

O R D E R

The learned Magistrate had refused to grant bail to the petitioner in crime No.512/2006, whereas he granted bail to the very same petitioner, on production before him, in crime No.522/2006, though the offence alleged against the petitioner is punishable under Sections 324 and 308 IPC. The wound certificate reveal that he had sustained only abrasion on the left fore arm.

2. In the above facts situation, as I am unable to agree with the reasons, given by the learned Magistrate in his impugned order dated 20.10.2006, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Varkala.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Monday, between 10.00 a.m and 11.00 a.m., for a period of six months, starting from 6.11.2006, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and final disposal of the case.

(c). The petitioner shall not attempt to influence or threaten the witnesses or cause any hindrance to the smooth conduct and completion of the case.

(d). The petitioner shall not leave the State of Kerala, until the completion of the trial and final disposal of the case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs